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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/511,064-Conf. #8561
		Filing Date	April 20, 2005
		First Named Inventor	Scott Alan Jelinsky
		Art Unit	1639
		Examiner Name	J. S. Lundgren
Total Number of Pages in This Submission		Attorney Docket Number	00630/0204187-US0

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Amendment Transmittal
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	DARBY & DARBY P.C.		
Signature			
Printed name	Amy G. Klann		
Date	May 24, 2006	Reg. No.	48,155



Application No. (if known): 10/511,064

Attorney Docket No.: 00630/0204187-US0

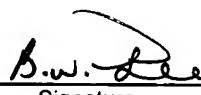
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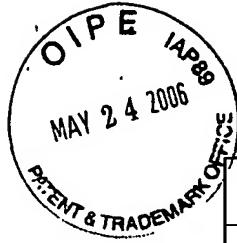
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Transmittal (1 page)
Amendment Transmittal (1 page)
Amendment in Response to Non-Final Office Action (13 pages)
Return receipt postcard



AMENDMENT TRANSMITTAL LETTER				Docket No. 00630/0204187-US0
Application No. 10/511,064-Conf. #8561	Filing Date April 20, 2005	Examiner J. S. Lundgren	Art Unit 1639	
Applicant(s): Scott Alan Jelinsky et al.				
Invention: ESTROGEN RECEPTOR ALPHA REGULATED GENE EXPRESSION RELATED ASSAYS AND THERAPEUTICS				
TO THE COMMISSIONER FOR PATENTS				
Transmitted herewith is an amendment in the above-identified application.				
The fee has been calculated and is transmitted as shown below.				
CLAIMS AS AMENDED				
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate
Total Claims	120	- 120 =		x
Independent Claims	6	- 6 =		x
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				
Other fee (please specify):				
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: 0.00				
<input checked="" type="checkbox"/> Large Entity		<input type="checkbox"/> Small Entity		
<input type="checkbox"/> No additional fee is required for this amendment.				
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.				
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.				
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.				
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 04-0100 as described below. A duplicate copy of this sheet is enclosed.				
<input type="checkbox"/> Credit any overpayment.				
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.				
		Dated: May 24, 2006		
Amy G. Klann Attorney/Agent Reg. No.: 48,155				
DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7637				



Docket No.: 00630/0204187-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Scott Alan Jelinsky et al.

Application No.: 10/511,064

Confirmation No.: 8561

Filed: April 20, 2005

Art Unit: 1639

For: ESTROGEN RECEPTOR ALPHA
REGULATED GENE EXPRESSION
RELATED ASSAYS AND THERAPEUTICS

Examiner: Jeffrey S. Lundgren

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated February 24, 2006, with a date for response of May 24, 2006, and pursuant to Rule 111 of the Rules of Practice, please enter the following amendments and consider the accompanying remarks.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 10 of this paper.

Applicants request reconsideration of the subject application in view of the following amendments and remarks.